

08-05-04

IFW RCE
2171

DOCKET NO.: MSFT-0176/150795.01

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Luis Felipe Cabrera

Application No.: 09/670,760

Filing Date: September 27, 2000

For: Off-Line Support For Cumulative Backups

Confirmation No.: 6145

Group Art Unit: 2171

Examiner: Hanh B. Thai

EXPRESS MAIL LABEL NO: EV397435315US
DATE OF DEPOSIT: August 3, 2004

EV397435315US

☒ Mail Stop AF ☐ Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL PURSUANT
TO 37 CFR § 1.114**

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

1. Submission required under 37 CFR § 1.114

- ☒ Previously submitted
- ☒ Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on June 3, 2004. (Any unentered amendment(s) referred to above will be entered).
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on .
- ☐ Other: .

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01 FC:1801 770.00 DA
02 FC:1253 840.00 DA

- ☐ Enclosed
- ☐ Amendment/Reply under 37 CFR § 1.116
- ☐ Affidavit(s)/Declaration(s)
- ☐ Information Disclosure Statement (IDS)
- ☐ Other:

2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for a period of _____ months. (Period of suspension shall not exceed three (3) months; Fee under 37 CFR §1.17(i) required)

FEE CALCULATION:

| | | | | SMALL ENTITY | | NOT SMALL ENTITY | |
|--|----------------------------------|----------------------------|-------|--------------|-------|------------------|---------|
| <input checked="" type="checkbox"/> RCE BASIC FILING FEE | | | | \$385.00 | \$ | \$770.00 | \$770 |
| | CLAIMS REMAINING AFTER RCE | HIGHEST NO. PAID FOR | EXTRA | | | | |
| TOTAL CLAIMS | 34 | 34 (20 MINIMUM) | 0 | \$9 EACH | \$ | \$18 EACH | \$ 0 |
| INDEP. CLAIMS | 4 | 4 (3 MINIMUM) | 0 | \$43 EACH | \$ | \$86 EACH | \$ 0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT | | | | \$145 | \$ | \$290 | \$ |
| <input type="checkbox"/> ONE MONTH EXTENSION OF TIME | | | | \$55 | \$ | \$110 | \$ |
| <input type="checkbox"/> TWO MONTH EXTENSION OF TIME | | | | \$210 | \$ | \$420 | \$ |
| <input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME | | | | \$475 | \$ | \$950 | \$950 |
| <input type="checkbox"/> FOUR MONTH EXTENSION OF TIME | | | | \$740 | \$ | \$1480 | \$ |
| <input type="checkbox"/> FIVE MONTH EXTENSION OF TIME (May only be taken when filing RCE in lieu of Appeal Brief) | | | | \$1005 | \$ | \$2010 | \$ |
| <input checked="" type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID | | | | minus | (\$) | minus | (\$110) |
| <input type="checkbox"/> TERMINAL DISCLAIMER | | | | \$55 | \$ | \$110 | \$ |
| TOTAL FEE DUE | | | | | \$ | | \$1,610 |

- ☐ A check in the amount of \$_____.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☒ Please charge Deposit Account No. 23-3050 in the amount of **\$1,610.00**. This sheet is attached in duplicate.

- ☒ A response to the Final Rejection dated February 3, 2004 was due on May 3, 2004. Petition is hereby made under 37 CFR § 1.136(a) to extend the time period for response from February 3, 2004 to and through August 3, 2004 comprising an extension of the shortened statutory period of 3 months.
- ☐ A Notice of Appeal was filed . An Appeal Brief is due on . Applicants are filing this Request for Continued Examination in lieu of this Appeal Brief. Petition is hereby made to extend the time period from to and through comprising a total extension of month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.
- ☒ The Commission is hereby authorized to charge payment of the above fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: August 3, 2004



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